

**SECOND AMENDMENT TO
BY-LAWS OF COPPER CREEK CONDOS HOA**

This Dedicatory Instrument is being recorded by Copper Creek Condos HOA, a Texas nonprofit corporation (the "Association") pursuant to Section 202.006 of the Texas Property Code. Section 202.006 of the Texas Property Code requires a condominium association to record each dedicatory instrument in the real property records of the County in which the condominium development to which the dedicatory instrument relates is located, if such instrument has not previously been recorded.

WHEREAS, the administration and operation of Copper Creek Condos are governed by the By-Laws of Copper Creek Condos HOA (the "By-Laws") dated November 16, 2015 and recorded under Brazos County Clerk's File No. 2015-01248904 in the Official Public Records of Brazos County, Texas; and

WHEREAS, Article VIII of the By-Laws provides that the Association may, from time to time, amend the By-Laws with approval of not less than a majority of the votes of all Unit Owners at a meeting at which a quorum has been attained; and

WHEREAS, the Association desires to amend the By-Laws as set forth below;

NOW, THEREFORE, for and in consideration of the recitals set forth above, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Association does hereby amend Article III, Section 3.1 of the By-Laws to read as follows:

3.1 Number. The business and property of the Condominium shall be managed and directed by the Executive Board (the "Board"), composed of **five (5)** persons, or by such executive committees as the board may establish pursuant to the By-Laws; provided, however, that the initial Board shall be composed of three (3) persons.

FURTHER, THEREFORE, for and in consideration of the recitals set forth above, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Association does hereby amend Article III, Section 3.3 of the By-Laws to read as follows:

3.3 Election. Except as provided herein, the directors shall be elected at the annual meeting of the Association, and those persons who receive the highest number of votes shall be deemed to have been elected. Notwithstanding anything herein to the contrary, the Board shall consist of three (3) directors during the period that Declarant is entitled to appoint a majority of the directors. The Declarant shall have the right to point all of the directors until the earlier of the following four dates: (a) the date one hundred twenty (120) days after the Declarant has conveyed seventy-five percent (75%) of the maximum number of Units which Declarant may create on the Phase I of the property

and on the Additional Real Estate to Unit Owners other than a Declarant, or the date upon which Declarant surrenders control of the Condominium to the Unit Owners, or (c) the date two (2) years after Declarant has ceased to offer Units for sale in the ordinary course of business, or (d) the date two (2) years after any development right to add Additional Units under the Act was last exercised by Declarant. Declarant may turn over control of the Association to such Unit Owners other than Declarant prior to such dates in its sole discretion by causing all or part of its appointed directors to resign, whereupon it shall be the affirmative obligation of Unit Owners other than Declarant to elect directors and assume control of the Association. Provided at least thirty (30) days' notice of Declarant's decision to cause its appointees to resign is given to Unit Owners, neither Declarant, nor such appointees, shall be liable in any manner in connection with such resignations even if the Unit Owners other than Declarant refuse or fail to assume control. Within sixty (60) days after conveyance of twenty-five percent (25%) of the maximum number of Units which Declarant may create on Phase I of the property and on the Additional Real Estate to Unit Owners other than Declarant, at least one director and not less than twenty-five percent (25%) of the directors of the Board shall be elected by Unit Owners other than Declarant. Within sixty (60) days after conveyance of fifty percent (50%) of said maximum number of Units to Unit Owners other than Declarant, not less than thirty-three percent (33 %) of the directors of the Board shall be elected by Unit Owners other than Declarant. Within sixty (60) days after the Unit Owners other than Declarant are entitled to such director or directors, or sooner if Declarant has elected to accelerate such event as aforesaid, the Association shall call, and give not less than ten (10) days' nor than fifty (50) days' notice of a meeting of the Unit Owners to elect such director or directors of the Board. The meeting may be called and the notice given by Unit Owner if the Association fails to do so. The size of the Board may be increased or decreased from time to time upon the affirmative vote of three-fourths (3/4) of all Unit Owners, provided that said Board shall not be less than five (5) in number.

All the other terms and conditions of the By-Laws dated November 16, 2015 and recorded in Volume 13045, Page 220 of the Official Records of Brazos County, Texas remain in full force and effect.

EXECUTED on the 11th day of April, 2024

COPPER CREEK CONDOS HOA

By: 
Katherine Wigginton
President & Director

CERTIFICATION

IN ACCORDANCE WITH the Texas Business Organizations Code, and in accordance with the By-Laws of Copper Creek Condos HOA (the “By-Laws”) recorded under Brazos County Clerk’s File No. 2015-01248904 in the Official Public Records of Brazos County, Texas, I do hereby certify:

THAT the Annual Meeting of the Unit Owners, as specified in Article II, Section 2.2 of the By-Laws, was duly called and held on March 27th, 2021; and

THAT as a result of an Affirmative Vote of over three-fourths (3/4) of all Unit Owners taken at this Annual Meeting, this Amendment to By-Laws was duly approved and adopted.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association, effective as of 11th day of April, 2024.

COPPER CREEK CONDOS HOA

By: Katherine Wigginton
Katherine Wigginton
President & Director

By: Colin Hunter Harris
Colin Hunter Harris
Secretary & Director

THE STATE OF TEXAS §

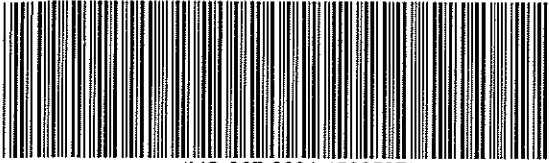
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 11th of April by Katherine Wigginton, President of Copper Creek Condos HOA, a Texas nonprofit corporation, and by Colin Hunter, Secretary of Copper Creek Condos HOA, a Texas nonprofit corporation, on behalf of said entity.



Notary Public, State of Texas

After Recording Return To:
Copper Creek HOA
C/O Toni Myers
3363 University Drive East
Suite 215
Bryan Texas 77802



VG-267-2024-1530537

Brazos County
Karen McQueen
County Clerk

Instrument Number: 1530537
Volume : 19247
Real Property Recordings

Recorded On: June 03, 2024 10:39 AM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$37.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

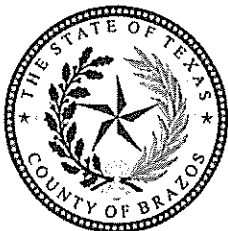
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 1530537
Receipt Number: 20240603000080
Recorded Date/Time: June 03, 2024 10:39 AM
User: Josephina S
Station: CCLERK08

Record and Return To:

TONI MYERS
3363 UNIVERSITY DR E STE 215
BRYAN TX 77802



STATE OF TEXAS
COUNTY OF BRAZOS

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen
County Clerk
Brazos County, TX